

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION

DENNIS BREWER; MICHAEL JILES;
JEFFERY CARTER; and CHRIS JACKSON,
all suing individually and as representatives of
others similarly situated in employment with
City of West Memphis, Arkansas

PLAINTIFFS

v.

No. 3:12-cv-28-DPM

WAYNE GATELY, individually and in his official
capacity as Chief of West Memphis Fire Department;
WILLIAM JOHNSON, individually and in his official
capacity as Mayor of West Memphis, Arkansas; and
CITY OF WEST MEMPHIS, ARKANSAS

DEFENDANTS

ORDER

Pursuant to the Court's Order, *Document No. 7*, Addie Burks appeared and responded to the Court's concerns on 31 July 2012. She also provided the Court with a response, and related affidavit from co-counsel, which she planned to file, *Document No. 9*.

For good cause shown, Plaintiffs' time to serve their complaint is reopened and extended until 31 August 2012. FED. R. CIV. P. 4(m). Lead counsel did not make timely service. Burks depended on him to do so; then he was disbarred; then she had trouble getting the file from him; and she has

since been dealing with health problems.

Burks has also shown cause for the Court not making a referral to any disciplinary committee at this time. Counsel acknowledged that there had been gaps in her performance, based mostly on relying on co-counsel and on health-related inability to take care of business. Counsel acknowledged her professional obligations in this case and pledged to fulfil them.

Burks must—as she said she would—serve the Defendants by 31 August 2012. Burks should also provide a copy of this Order to her clients. Burks has registered for CM/ECF as the Court requested. She now appears to be receiving electronic notifications. Associating new co-counsel, which Burks said she intended to do, should be explored sooner rather than later.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

8 August 2012